

North Dakota Department of Public Instruction
Dr. Wayne G. Sanstead, State Superintendent
600 E. Boulevard Avenue, Dept. 201
Bismarck, ND 58505-0440

Overview of the *No Child Left Behind Act*

for the

North Dakota School for the Deaf
Future Services Plan (FSP) Transition Team

Thursday, November 19, 2009

If you have any questions concerning any of the issues addressed, please contact:

Laurie Matzke, State Title I Director
Department of Public Instruction
600 E. Boulevard Avenue, Dept. 201
Bismarck, ND 58505-0440

Phone – 701-328-2284

Fax – 701-328-4770

Email – lmatzke@nd.gov

Federal Education Act

- Elementary and Secondary Education Act (ESEA)
Founded in 1965 by President L.B. Johnson.
- Reauthorization of Law
Takes place every five to seven years.
- January 8, 2002
The date President Bush signed the *No Child Left Behind Act* (NCLB).

Key Elements of NCLB

- Four Pillars
 1. Accountability for results.
 2. Emphasis on doing what works, based on scientific research.
 3. Expanded parental options.
 4. Expanded local control and flexibility.
- Six Guiding Performance Goals
 1. Performance Goal 1 – All students will reach high standards, at a minimum attaining proficiency or better, in reading and math by 2013-2014.
 2. Performance Goal 2 – By 2013-2014, all students will be proficient in reading by the end of third grade.
 3. Performance Goal 3 – All limited English proficient students will become proficient in English.
 4. Performance Goal 4 – By 2005-2006, all students will be taught by highly qualified teachers.
 5. Performance Goal 5 – All students will be educated in learning environments that are safe, drug free, and conducive to learning.
 6. Performance Goal 6 – All students will graduate from high school.

Federal Title Programs

Ten Titles under the NCLB Act

- Title I – Improving the Academic Achievement of the Disadvantaged
- Title II – Preparing, Training, and Recruiting High Quality Teachers and Principals
- Title III – Language Instruction for Limited English Proficient and Immigrant Students
- Title IV – 21st Century Schools
- Title V – Promoting Informed Parental Choice and Innovation
- Title VI – Flexibility and Accountability
- Title VII – Indian, Native Hawaiian, and Alaska Native Education
- Title VIII – Impact Aid Program
- Title IX – General Provisions
- Title X – Repeals, Resignations, and Amendments

Summary of the Key Elements in NCLB

Teacher Quality Provision

Title I regulations require each state and district to ensure that **all** educators teaching in “core academic subjects” are “highly qualified”.

■ Core Academic Subjects

- English
- Reading or Language Arts
- Mathematics
- Science
- Foreign Languages
- Civics
- Government
- Economics
- Arts
- History
- Geography

■ “Highly Qualified” means:

1. State certification/licensing (emergency, temporary, or provisional certification is NOT acceptable), *and*
2. Bachelor’s degree, *and*
3. Demonstration of competency – Major Equivalency

Aide/Paraprofessional Requirements

Requirements and Qualifications

As part of the *No Child Left Behind* (NCLB) Act, Title I aides/paraprofessionals must have a secondary school diploma or its recognized equivalent* and meet one of the following three requirements to be employed in a Title I program:

1. Have completed two years of study (48 semester hours) at an institution of higher education; or
2. Obtained an associate’s (or higher) degree; or
3. Met a rigorous standard of quality, which includes a North Dakota approved assessment of skills in reading, writing, and math.

*Exception – The school district may employ an instructional aide who does not meet this requirement if such an aide possesses proficiency in a language, other than English, that is needed to enhance the participation of children in Title I programs.

North Dakota Approved Assessments

The Department of Public Instruction has approved two options in meeting the assessment requirement for aides/paraprofessionals under NCLB.

- The ParaPro Assessment was developed by the Educational Testing Service for prospective and practicing paraprofessionals. It measures skills and knowledge in reading, mathematics, and writing, as well as the ability to apply those skills and knowledge to assist in classroom instruction.

- The Praxis I (PPST) is a basic academic skills assessment covering reading, math, and writing. Colleges and universities use the basic academic skills assessments to qualify individuals for entry into teacher education programs.

Any paraprofessional needing to meet the qualifications by taking one of the two state approved assessments should make sure to complete all the necessary requirements. For each of the assessment choices, the test taker must complete testing questions in the areas of reading, math, and writing.

Certificate of Completion

The state Title I office designed a certificate of completion, which will be issued to aides/paraprofessionals who have met the NCLB requirements. The Application for a Paraprofessional Certificate of Completion (SFN 53923) is available at <http://www.dpi.state.nd.us/title1/aides.shtm> on the Title I website.

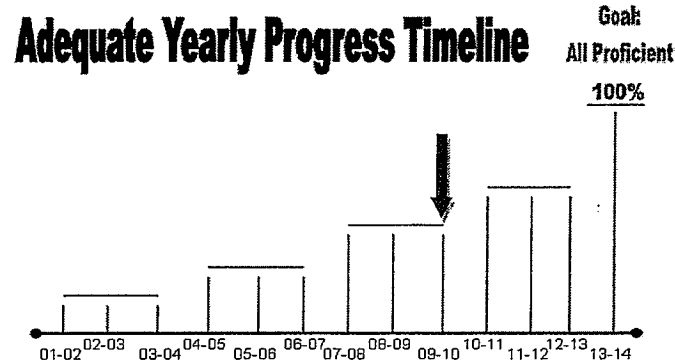
State Assessment

- NCLB requires states to implement annual reading and math assessments for grades 3-8, which is the key principle of NCLB's rigorous plan for holding state and local school districts that use federal funds accountable for improving student academic achievement.
- The North Dakota State Assessment (NDSA) was administered during a three-week testing window beginning October 26, 2009 through November 13, 2009. The administration dates for the North Dakota Alternate Assessment-1 are November 16, 2009 to January 16, 2010. The administration dates for the North Dakota Alternate Assessment-2 are November 16, 2009 through December 22, 2009.
- The NDSA was administered to grades 3, 4, 5, 6, 7, 8, and 11 in reading, language arts, and mathematics. Grades 4, 8, and 11 also took the science assessment.
- State assessments must be aligned with state academic standards.
- An appropriations "trigger" is included to ensure sufficient federal funds are available to states to enable them to comply with the grades 3-8 assessment requirement. A state may defer the commencement or suspend the administration of the annual grades 3-8 assessments for one year for each year that the federally appropriated funds do not reach the set amount. However, states must continue to comply with current law by administering academic assessments in reading and math in one of each grade span of 3-5, 6-9, and 11-12.
- In addition to reading and math assessments in grades 3-8, states must also incorporate one other academic indicator to judge a school's success. For secondary schools, it is graduation rates. For elementary and middle schools, it is an academic indicator determined by the state.

Accountability/Adequate Yearly Progress

- A state's definition of Adequate Yearly Progress (AYP) must apply to the overall student population. The law requires a single, statewide accountability system for all public school districts and public schools.
- A state's definition of AYP is based primarily on the state assessment and must also include graduation rates for high schools and an additional indicator selected by the state for middle and elementary schools (such as attendance rates).
- The primary indicator for measuring a school's adequate yearly progress is student achievement in reading and mathematics. Student achievement is reported:
 - As a composite score, and
 - By selected student subgroups
- All public schools and districts are held accountable for the achievement of individual subgroups as well as overall student achievement. The four subgroups listed in the NCLB law are:
 1. Economically Disadvantaged Students
 2. Limited English Proficient (LEP) Students
 3. Students with Disabilities
 4. Major Ethnic/Racial Groups
- All students must take the state assessment
 - LEP students – There are no exemptions available for LEP students. If an LEP student has not been at a school for one full year, then their score would not be calculated as part of the adequate yearly progress determination. However, LEP students must still participate in the state assessment. Accommodations as described in the Test Interpretation Manual are allowed.
 - Students on an IEP – The alternate assessment is only for students with significant disabilities (approximately 2% of the special education students). The majority of students on an IEP must participate in the regular state assessment. Both will be counted in the adequate yearly progress calculations. Accommodations as described in the Test Interpretation Manual are allowed. Accommodations prescribed for LD students on an IEP must be honored for the assessment process.
- In order for a school to make AYP, states must ensure that they have assessed at least 95% of the students at the state, district, school, and subgroup level.
- A state's accountability system must be statistically valid and reliable.
 - In determining AYP, states are not required to use disaggregated data when the number of students in a subgroup is 1) too small to yield statistically reliable information or 2) the results would reveal personally identifiable information.

■ Adequate Yearly Progress Timeline



- States are required to “raise the bar” gradually, but in equal increments to reach 100% proficiency by 2014.
- States must define AYP so that in 12 years, all students will achieve at the state-defined “proficient” level.

■ AYP Achievement Goals

State Intermediate Goals, 2002-2014

**Goals for Percent Scoring Proficient and Advanced in Reading/Math
Graduation and Attendance Rate Goals**

Subject/ Grades	School Years*												
	01-02	02-03	03-04	04-05	05-06	06-07	07-08	08-09	09-10	10-11	11-12	12-13	13-14
Reading													
4	65.1%			73.8%			82.6%			91.3%			100%
8	61.4%			71.1%			80.7%			90.4%			100%
11	NA			57.2%			71.5%			85.7%			100%
12	42.9%			NA			NA			NA			NA
Math													
4	45.7%			59.3%			72.9%			86.4%			100%
8	33.3%			50.0%			66.7%			83.3%			100%
11	NA			43.1%			62.1%			81.0%			100%
12	24.1%			NA			NA			NA			NA
Graduation	89.9%			73.09%									
Attendance	93.0%												

- * The chart shows the percentages of students that need to meet or exceed the cut scores established in reading and math in order for schools to make adequate yearly progress.

■ Adequate Yearly Progress Reports

The Department of Public Instruction creates Adequate Yearly Progress (AYP) reports for every school and district in the state based on the state assessment data. The information is shared with school personnel, confidentially, through the State Automated Reporting System (STARS), and subsequently posted on the department's website.

Program Improvement

Schools and districts that do not make AYP for two consecutive years are identified for Title I program improvement. However, only schools and districts receiving Title I funds can be identified for Title I program improvement and be held to the program improvement provisions in the law. Federal law permits schools and districts to be removed from program improvement status if they have made AYP for two consecutive years.

- NCLB incorporates a series of specified sanctions that increase in severity for schools and districts that continue not to make AYP.
- NCLB requires schools and districts in program improvement to spend 10% of their Title I funds on professional development.
- Status for 2009-2010 School Year:

School Program Improvement	
Number of public schools in North Dakota	465
Number of Title I public schools in North Dakota (approximate)	312
✓ Number of schools that did not make AYP on the 2008-2009 NDSA	115
✓ New schools identified for program improvement for 2009-2010	32
✓ Number of schools removed from program improvement status for 2009-2010	0
✓ Total Number of schools in program improvement for 2009-2010	60

District Program Improvement	
Number of public districts in North Dakota	183
Number of Title I public districts in North Dakota (approximate)	157
✓ Number of districts that did not make AYP on the 2008-2009 NDSA	42
✓ New districts identified for program improvement for 2009-2010	13
✓ Number of districts removed from program improvement status for 2009-2010	1
✓ Total Number of districts in program improvement for 2009-2010	33

Schools that have not made AYP for two or more consecutive years and have subsequently been identified for program improvement have access to additional program improvement funds to help them implement additional strategies and practices to make AYP.

Emphasis on Doing What Works Based on Scientifically-Based Research (SBR)

- All Title I programs, whether utilizing the schoolwide approach or the targeted assistance approach, must employ scientifically-based research strategies. A link has been established on the Title I website to showcase Scientifically-Based Reading Research (SBRR) ideas, strategies, websites, etc. To access, log on to <http://www.dpi.state.nd.us/title1/resource/readinit.shtm>.
- Definitions for Scientifically-Based Research and Scientifically-Based Reading Research
 - Scientifically-Based Research (SBR) – Research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs.
 - Scientifically-Based Reading Research (SBRR) – Research that applies rigorous, systematic and objective procedures to obtain valid knowledge relevant to reading development, reading instruction, and reading difficulties. SBRR has defined these five essential components of effective reading instruction: Phonemic Awareness, Phonics, Vocabulary Development, Reading Fluency (including oral reading skills), and Reading Comprehension Strategies.

Expanded Parental Options and Reporting Requirements

- Report Cards – The state must prepare annual report cards, also called school profiles, for parents and the public on the academic achievement of students at the state, district, and school building level. Report cards are available on the department's website at <http://www.dpi.state.nd.us/dpi/reports/profile/index.shtm>.
- "Parents' Right to Know" Clause – NCLB incorporates a "Parents' Right to Know" clause stating that, at the beginning of each school year, a school that receives Title I funds shall notify all parents of all students that they may request information regarding the professional qualifications of instructional staff. Schools **must** compile the "Parents' Right To Know" information, in written format, and as requested, the school must provide parents with this information.
- Adequate Yearly Progress Reports – The Department of Public Instruction will generate Adequate Yearly Progress (AYP) reports for every school and district in the state based on state assessment results each year. All schools and districts are required by law to explain and disseminate this information to parents and community members.

Annual Adequate Yearly Progress Report

North Dakota Department of Public Instruction

School Year 2008 - 2009

State of North Dakota

Modified 05/27/2009
Page 1 of 1

Instructions on the interpretation of the North Dakota Adequate Yearly Progress Report can be accessed at:
<http://www.dpi.state.nd.us/testing/account/AYP0809.pdf>

Reading 2009 State Intermediate Goals 4th Grade – 82.6% 8th Grade – 80.7% 11th Grade – 71.5%				Math 2009 State Intermediate Goals 4th Grade – 72.9% 8th Grade – 66.7% 11th Grade – 62.1%			
Listed below are state's scores				Listed below are state's scores			
Reading	Achievement Goal	Achievement Result	Participation 95% Rule	Math	Achievement Goal	Achievement Result	Participation 95% Rule
Composite Score	78.07%	77.22%	98.94%	Composite Score	67.03%	77.33%	99.02%
<u>Subgroups:</u>				<u>Subgroups:</u>			
Economically disadvantaged	78.07%	67.28%	98.45%	Economically disadvantaged	67.03%	68.37%	98.67%
Ethnicity:				Ethnicity:			
White	78.07%	80.09%	99.28%	White	67.03%	80.30%	99.33%
Native American	78.07%	54.77%*	97.92%	Native American	67.03%	55.09%*	97.82%
Black	78.07%	59.23%*	96.43%	Black	67.03%	56.13%*	98.16%
Asian	78.07%	77.95%	95.94%	Asian	67.03%	80.39%	98.08%
Hispanic	78.07%	68.01%	96.51%	Hispanic	67.03%	64.86%	96.76%
Other	78.06%	59.90%*	84.96%*	Other	67.02%	65.07%	82.17%*
Students with disabilities	78.07%	61.07%	97.81%	Students with disabilities	67.03%	61.91%	98.38%
Students with limited English proficiency	78.06%	42.01%*	95.89%	Students with limited English proficiency	67.01%	46.98%*	97.83%
State Secondary Indicator(s):				Graduation	Goal: 73.09%	Result: 86.90%	
				Attendance	Goal: 93.00%	Result: >=95.0%	
Adequate Yearly Progress Category:				Did not meet Adequate Yearly Progress			

Note: An asterisk (*) marks the indicator(s) where the state did not meet adequate yearly progress. If an indicator's value is below the achievement goal but no (*) is marked, then the indicator's value is within statistical reliability. Statistics are not shown for fewer than ten students. An (i) indicates insufficient data to determine adequate yearly progress; the value results from the combining of up to three years' data.

Achievement goals are raised every three years and may vary among categories when insufficient student numbers exist and multiple-year averaging is required. All students are held to the state's challenging achievement standards.

North Dakota Department of Public Instruction

Consequences for Schools NOT Making Adequate Yearly Progress

Timeline Year 1	Timeline Year 2	Timeline Year 3	Timeline Year 4	Timeline Year 5	Timeline Year 6	Timeline Year 7
		<div>YEAR 1 OF PROGRAM IMPROVEMENT</div> <div>10% of funds set-aside for Professional Development (PD) for all staff</div> <div>LEA must give school Technical Assistance (TA)</div>	<div>YEAR 2 OF PROGRAM IMPROVEMENT</div> <div>Continue School Choice, TA, and 10% set-aside for PD</div>	<div>YEAR 3 OF PROGRAM IMPROVEMENT</div> <div>Continue School Choice, TA, 10% set-aside for PD (optional), and Supplemental Services</div>	<div>YEAR 4 OF PROGRAM IMPROVEMENT</div> <div>Continue School Choice, TA, 10% set-aside for PD (optional), Supplemental Services, and Corrective Action</div>	<div>YEAR 5 OF PROGRAM IMPROVEMENT</div> <div>Continue School Choice, TA, 10% set-aside for PD (optional), Supplemental Services, and Corrective Action</div>
Did not make AYP	Identified for School Program Improvement					
	Within three months after identification, school is required to submit a Program Improvement Plan	Implement Program Improvement Plan	Update and Implement Program Improvement Plan	Update and Implement Program Improvement Plan	Update and Implement Program Improvement Plan	Update and Implement Program Improvement Plan
		<div>School must provide option of School Choice</div>	<div>School must offer Supplemental Services</div>	<div>Corrective Action:</div> <div>Replace key staff OR New curriculum OR New management OR Extend Year/Day OR Restructure AND Increased State Oversight</div>	<div>Plan for Alternative Governance</div>	<div>In North Dakota, Alternative Governance Possible Options:</div> <div>Defer administrative funds to program improvement schools OR Offer signing bonus OR Offer school choice across district boundaries OR Contract with an outside expert OR Other forms of major restructuring as identified by the school</div>
	Did not make AYP	Did not make AYP	Did not make AYP	Did not make AYP	Did not make AYP	